

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JULY 25, 2006**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**9:30 A.M.**

Commissioners Present: Deb Schorr, Chair  
Bob Workman, Vice Chair  
Ray Stevens

Commissioners Absent: Bernie Heier  
Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Patricia Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 9:30 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, July 18, 2006.**

**MOTION:** Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated July 18, 2006. Stevens, Workman and Schorr voted aye. Motion carried

- 2) **CLAIMS: Approval of all claims processed through Tuesday, July 25, 2006.**

**MOTION:** Workman moved and Stevens seconded approval of all claims processed through July 25, 2006. Workman, Stevens and Schorr voted aye. Motion carried.

3) **PUBLIC HEARINGS:**

**A. An application for Corporate Manager for Mark A. Wible in connection with a Class ID liquor license for Firethorn Golf Company, L.L.C. located at 9301 Firethorn Lane, Lincoln, Lancaster County, Nebraska.**

The Chair opened the public hearing and asked if anyone wished to provide testimony.

The oath was administered to Mark Wible, applicant.

In response to a question asked by Workman, Wible indicated he has not managed an operation specifically for liquor, however, he has been in charge of operations for companies that hold liquor licenses.

Workman also asked Wible if he has completed a hospitality course.

Wible responded no and added that the head of the bar area and head of the kitchen area are scheduled to take the course.

Schorr suggested that Wible also enroll in the course.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

**MOTION:** Stevens moved and Workman seconded to direct the County Attorney's Office to draft a resolution to approve the Corporate Manager application for Mark Wible in connection with a Class ID liquor license for Firethorn Golf Company, L.L.C.. Workman, Stevens and Schorr voted aye. Motion carried.

**B. County Change of Zone No. 05080, requested by Marcia Kinning of ESP on behalf of Dutch Bentzinger, from AG to AGR on 21 acres, more or less, to develop a preliminary plat of four residential lots and one outlot on property generally located northeast of Southwest 29<sup>th</sup> Street and West Martell Road in Lancaster County, Nebraska. (See New Business Item 5A for correlating documentation.)**

The Chair opened the public hearing and asked if anyone wished to provide testimony.

3) **PUBLIC HEARINGS CONTINUED:**

The oath was administered to Matt Langston, of ESP who appeared on behalf of Dutch Bentzinger.

Stevens asked if there would be a Community Unit Plan (CUP).

Langston responded yes.

Stevens asked if it would cause any delay if the County Board were to hold the change of zone until the Community Unit Plan was presented.

Langston indicated he would see no problem in holding the Community Unit Plan.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

**C. County Change of Zone No. 06024, requested by the Director of Planning, to amend the County Zoning Resolution to amend and increase filing fees for zoning applications. (See New Business Item 5B for correlating documentation.)**

**D. County Miscellaneous No. 06006, requested by the Director of Planning, to amend the County Land Subdivision Regulations to amend and increase filing fees for land subdivision applications. (See New Business Item 5C for correlating documentation.)**

The Chair opened the public hearings and asked if anyone wished to provide testimony.

The oath was administered to Marvin Krout, Planning Director.

Krout gave an overview of Change of Zone No. 06024 and Miscellaneous No. 06006, noting the increase would have an impact of approximately \$25 per lot. It was suggested by Krout that the County Board may want to defer their action to see what action the City Council takes on July 31, 2006.

Schorr stated the increase in fees were due to administrative changes and inflation.

3) **PUBLIC HEARINGS CONTINUED:**

Krout concurred.

The Chair asked if anyone else wished to provide testimony.

No one appeared and hearings were closed.

4) **OLD BUSINESS:**

**A. Request from Don Herz, City of Lincoln Finance Director, for approval of the Keno Satellite application from Ron's Pub, located at 13940 "O" Street, pursuant to an interlocal agreement between Lincoln and Lancaster County for the operation of a joint Keno lottery.**

The Clerk indicated a request was received from Big Red Keno and the City of Lincoln to withdraw the application.

At the request of Big Red Keno and the City of Lincoln the Keno satellite application for Ron's Pub was withdrawn.

**B. Request for a refund of real property taxes from William A. Perkins for 2004, in the approximate amount of \$615.32, and for 2005, in the approximate amount of \$622.62.**

**MOTION:** Stevens moved and Workman seconded approval of a refund of real property taxes from William A. Perkins for 2004, in the approximate amount of \$615.32, and for 2005, in the approximate amount of \$622.62. Workman, Stevens and Schorr voted aye. Motion carried.

5) **NEW BUSINESS:**

**A. A resolution in the matter of County Change of Zone No. 05080 from AG Agricultural to AGR Agricultural Residential, requested by Marcia Kinning of ESP on behalf of Dutch Bentzinger, on property generally located northeast of Southwest 29<sup>th</sup> Street and West Martell Road, Lancaster County, Nebraska. (R-06-0069)**

**MOTION:** Stevens moved and Workman seconded to hold Resolution 06-0069 in the matter of County Change of Zone No. 05080 for two weeks. Stevens, Workman and Schorr voted aye. Motion carried.

5) NEW BUSINESS CONTINUED:

- B. A resolution in the matter of County Change of Zone No. 06024, a text amendment to various sections of Article 23 of the Lancaster County Zoning Resolution, to amend and increase filing fees for zoning applications as provided in Attachment "A". (R-06-0070)
- C. A resolution in the matter of County Miscellaneous No. 06006, a text amendment to the Lancaster County Subdivision Regulations, to amend various sections of Chapter 3 to amend and increase filing fees for land subdivision applications and to add a new Chapter 10 to list all the fees, as provided in Attachments "A" and "B". (R-06-0071)

The Clerk read New Business Items 5B and 5C into the record.

**MOTION:** Workman moved and Stevens seconded approval of Resolution 06-0070 in the matter of County Change of Zone No. 06024, a text amendment to various sections of Article 23 of the Lancaster County Zoning Resolution, to amend and increase filing fees for zoning applications as provided in Attachment "A" and approval of Resolution 06-0071 in the matter of County Miscellaneous No. 06006, a text amendment to the Lancaster County Subdivision Regulations, to amend various sections of Chapter 3 to amend and increase filing fees for land subdivision applications and to add a new Chapter 10 to list all the fees, as provided in Attachments "A" and "B". Workman, Stevens and Schorr voted aye. Motion carried.

- D. Acceptance of two grant awards from the Nebraska Commission on Law Enforcement and Criminal Justice for the Project "A Coordinated Response to Reducing Domestic Violence in Lancaster Group". The first award is in the amount of \$111,719, of which \$31,719 is the County's match share. Term of the first grant award is June 1, 2006 to December 31, 2006. The second award is in the amount of \$187,498, of which \$52,941 is the County's match share. Term of the second grant award is July 1, 2006 through May 31, 2007. (C-06-0426)

**MOTION:** Stevens moved and Workman seconded approval of two grant awards from the Nebraska Commission on Law Enforcement and Criminal Justice for the Project "A Coordinated Response to Reducing Domestic Violence in Lancaster Group". Stevens, Workman and Schorr voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- E. An agreement between Lancaster County and Kissel/E & S Associates for legislative and lobbying services for a two year period beginning on November 1, 2006 and ending on October 31, 2008. The contractor will be paid \$53,000 per year for the services. (C-06-0427)**

Kristy Mundt, Deputy County Attorney, indicated there was no current certificate of insurance attached to the agreement. She requested that the County Board's motion reflect that it be contingent upon receiving the document.

**MOTION:** Stevens moved and Workman seconded approval of an agreement between Lancaster County and Kissel/E & S Associates for legislative and lobbying services for a two year period beginning on November 1, 2006 and ending on October 31, 2008 pending receipt of a current certificate of insurance.

Schorr indicated she would abstain from voting due to a conflict of interest in that her husband is employed by one of the contractor affiliated organizations.

**ROLL CALL:** Stevens and Workman voted aye. Schorr abstained from voting. Motion carried.

- F. Agreements with the following facilities to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreements set forth a reimbursement arrangement in which the County will provide payment for the medical care and the facilities will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreements are effective upon execution of both parties and contains a 30-day termination provision.**

- ▶ Heartland Surgical Services (C-06-0428)
- ▶ Lifestyles O & P (C-06-0429)
- ▶ Physicians, Inc. (C-06-0430)

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Stevens moved and Workman seconded approval of agreements with Heartland Surgical Services, Lifestyles O & P and Physicians, Inc. to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. Stevens, Workman and Schorr voted aye. Motion carried.

**G. Recommendation from the Purchasing Agent and the Director of Lancaster Manor to renew a contract for annual respiratory services with Helget, Inc. d/b/a Capital Medical for an additional three year term beginning September 1, 2006 through August 31, 2009. (C-06-0431)**

**MOTION:** Stevens moved and Workman seconded approval to renew a contract for annual respiratory services with Helget, Inc. d/b/a Capital Medical for an additional three year term beginning September 1, 2006 through August 31, 2009. Stevens, Workman and Schorr voted aye. Motion carried.

**H. An educational affiliation agreement between BryanLGH Medical Center, on behalf of its College of Health Science, and Lancaster County to allow the College to utilize the facilities at Lancaster Manor for the purpose of providing clinical experience to the College's nursing students. The agreement is effective upon execution and includes a 60 day termination provision. (C-06-0432)**

**MOTION:** Workman moved and Stevens seconded approval of an educational affiliation agreement between BryanLGH Medical Center, on behalf of its College of Health Science, and Lancaster County to allow the College to utilize the facilities at Lancaster Manor for the purpose of providing clinical experience to the College's nursing students. Workman, Stevens and Schorr voted aye. Motion carried.

**I. A purchase agreement between the Lancaster County Sheriff 's Office and the Kasseburg Canine Training Center for one untrained canine to be trained in the areas of patrol operations and detection. Cost of the canine will be \$7,000. (C-06-0437)**

Schorr noted that the County received a \$5,000 donation toward the purchase of the canine from the Lincoln Independent Business Association (LIBA) as well as another significant donation made anonymously.

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Stevens seconded approval of a purchase agreement between the Lancaster County Sheriff 's Office and the Kasseburg Canine Training Center for one untrained canine to be trained in the areas of patrol operations and detection. Workman, Stevens and Schorr voted aye. Motion carried.

**J. An educational affiliation agreement between BryanLGH Medical Center, on behalf of its College of Health Science, and Lancaster County to allow the College to utilize the facilities at the Lancaster County Attorney's Office for the purpose of providing educational experience to the College's nursing students. The agreement is effective upon execution and includes a 60 day termination provision. (C-06-0438)**

**MOTION:** Stevens moved and Workman seconded approval of an educational affiliation agreement between BryanLGH Medical Center, on behalf of its College of Health Science, and Lancaster County to allow the College to utilize the facilities at the Lancaster County Attorney's Office for the purpose of providing educational experience to the College's nursing students. Stevens, Workman and Schorr voted aye. Motion carried.

**K. Recommendation from the Purchasing Agent and the Emergency Management Director to issue an order for spare parts and miscellaneous microwave equipment from Harris Microwave Communications, in the estimated amount of \$44,380. Prices were established by the Western States Contracting Alliance bid and items will be ordered from State Contract No. 02702. (B-06-0028)**

**MOTION:** Stevens moved and Workman seconded approval to issue an order for spare parts and miscellaneous microwave equipment from Harris Microwave Communications, in the estimated amount of \$44,380. Workman, Stevens and Schorr voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- L. Request from Terry Wagner, Lancaster County Sheriff, for two step pay increase for Margaret Stinson, an employee in the Lancaster County Sheriff's Office.

Stevens inquired whether the pay increase was a one or two step increase.

Bill Jarrett, Chief Deputy County Sheriff, responded that it was a one step increase.

**MOTION:** Stevens moved and Workman seconded approval of a request from Terry Wagner, Lancaster County Sheriff, for a one step pay increase for Margaret Stinson, an employee in the Lancaster County Sheriff's Office. Workman, Stevens and Schorr voted aye. Motion carried.

- 6) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

A. Receive and Place on File:

1. Lancaster County Sheriff's Report of Fees for June, 2006.

B. Setting of public hearings for Tuesday, August 8, 2006 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. County Special Permit No. 06028, requested by J.D. Burt of Design Associates, on behalf of TO DEW, L.L.C. (David and Todd Wendelin), for authority to develop dwelling units within 1320 feet of a public lake, on property generally located at Southwest 62<sup>nd</sup> Street and West Sprague Road, Lancaster County, Nebraska.

2. County Change of Zone No. 06022, requested by J.D. Burt of Design Associates on behalf of TO DEW, L.L.C., from AG Agricultural District to AGR Agricultural Residential District, on property generally located at Southwest 62<sup>nd</sup> Street and West Sprague Road, Lancaster County, Nebraska.

3. County Preliminary Plat No. 06005, requested by J.D. Burt of Design Associates on behalf of TO DEW, L.L.C., for 26 residential acreage lots on property generally located at Southwest 62<sup>nd</sup> Street and West Sprague Road, Lancaster County, Nebraska.

6) CONSENT ITEMS CONTINUED:

C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:

- ▶ Jeffery Kubik, in the total amount of \$3,215.50, on South 82<sup>nd</sup> Street from Panama Road to Hickman Road; Project No. C55-SX-404(2). (2 contracts) (C-06-0433 and C-06-0434)
- ▶ Dennis and Malinda Buel, in the total amount of \$3,443.75, on South 82<sup>nd</sup> Street from Panama Road to Hickman Road; Project No. C55-SX-404(2). (2 contracts) (C-06-0435 and C-06-0436)

**MOTION:** Stevens moved and Workman seconded approval of the Consent Items. Workman, Stevens and Schorr voted aye. Motion carried.

7) ADJOURNMENT:

**MOTION:** Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting at 10:15 a.m.. Stevens, Workman and Schorr voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JULY 25, 2006  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Deb Schorr, Chair  
Bob Workman, Vice Chair  
Ray Stevens

Commissioners Absent: Bernie Heier  
Larry Hudkins

Others Present: Norm Agena, County Assessor/Register of Deeds  
Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Patricia Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 10:15 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 18, 2006.**

**MOTION:** Stevens moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated July 18, 2006. Stevens, Workman and Schorr voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 8 additions and deductions to the tax assessment rolls per Attachment "A".**

**MOTION:** Stevens moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Workman, Stevens and Schorr voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**American Red Cross - Lancaster County Chapter  
Eastridge Presbyterian Church  
Fellowship Baptist Church**

**MOTION:** Stevens moved and Workman seconded approval of the motor vehicle tax exemptions. Workman, Stevens and Schorr voted aye. Motion carried.

4) **NOTICE OF ASSESSED VALUATION CHANGE FOR 2006 FOR THE FOLLOWING:**

**Tabitha New Community Homeowners Association  
Hartland Homes, Inc.**

Norm Agena, County Assessor/Register of Deeds, gave a brief explanation regarding the notices.

**MOTION:** Stevens moved and Workman seconded to accept the recommendation of the County Assessor/Register of Deeds and send notice of assessed valuation change for 2006 for Tabitha New Community Homeowners Association and Hartland Homes, Inc. Workman, Stevens and Schorr voted aye. Motion carried.

5) **ADJOURNMENT:**

**MOTION:** Stevens moved and Workman seconded adjournment of the Board of Equalization at 10:17 a.m.. Stevens, Workman and Schorr voted aye. Motion carried.

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Bruce Medcalf  
County Clerk